

Article:	Investigation: Could background check have prevented alleged rape?
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BP and a company used to hire workers in the gulf explain why background checks aren't always being done on oil spill cleanup workers on tonight's ["AC360°"](#) at 10 ET.

Pascagoula, Mississippi (CNN) -- A lack of screening of oil spill cleanup workers meant a sex offender got a job, and left him free to rape a colleague according to a Mississippi county sheriff.

A CNN investigation into the incident reveals that basic background checks were not done on those hired to remove oil from the beaches in and around Pascagoula.

Jackson County Sheriff Mike Byrd told CNN he was shocked when he met with the head of BP security for the area several weeks before the alleged rape took place. He said the BP representative told him that only drug screenings, not background checks, were being conducted on the cleanup workers.

"I said, 'You're kidding me.' He said, 'No.' He said, 'There's so many of them, we were told to do drug screens and that was it.' And I said, 'Well, that's not good at all.' "

Byrd said he told the BP official that "you're going to have every type of person coming in here looking for a job, and you're going to have the criminal element in here, and we're not going to know who we're dealing with if we don't do background checks on these people."

"It's sad because you got a victim now by a sex offender, and he's in our jail. Had we have known this, he would have been arrested before the crime could have been committed," said Byrd, who also said that if asked, his department would have done the background checks for free.

Rundy Charles Robertson, 41, who faces charges of sexual battery and failure to register as a sex offender, is in the Jackson County, Mississippi, jail with bail set at \$505,000. He told police that he had consensual sex with the woman. He has not yet entered a plea.

Robertson has a criminal history dating back to 1991, according to police records. He was put on the national sex offender registry for a 1996 conviction for contributing to the delinquency of a minor in Louisiana. He is also on probation after being convicted in 2003 in Georgia for cruelty to children.

Robertson had been supervising a crew of cleanup workers, including the alleged victim. She told CNN he offered to take her home one day in June because she was not feeling well.

However, she said, when he dropped her off, he asked to use the bathroom in her motel room. When he came out, she said, he raped her.

The woman told CNN she is scared and angry that this happened.



"If they would have ran the background checks, they wouldn't have a man like that working," she said.

"Emotionally, it's really, really messed me up. I get real upset at times, I go through anxiety. I feel angry, I feel dirty. I don't understand what gave him the right to take something -- or felt he could do what he wanted. ... I'm scared. I'm real scared."

She said she was laid off and is now unemployed.

"I find it unbelievable because BP and their subcontractors had relationships with all local law enforcement," said Adam Miller, the woman's attorney. "They had the opportunity and the ability to clearly check all of these people that they were hiring and bringing in to ensure the safety of the public."

He said since the incident happened in June, it's been "a living hell for her."

"She gave up her housing where she was living to come here," Miller said. "Now she's been raped, she doesn't have a job, and everybody walked away."

BP hired a company called Miller Environmental Group for the beach cleanup project. Miller hired Aerotek to find workers.

In a statement to CNN, BP spokesman Robert Wine said, "BP does conduct full checks on its employees, and under normal business conditions can make it a part of the contract for full backgrounds to be conducted by our long-term contractors. This was not done for all contractors in this response; the responsibility lies with the employing company for their own staff. The requirement on sub-contractors to BP's contractors is one further step beyond BP's scope of control."

Jeff Reichert, the general counsel for Aerotek, the company that hired Robertson, said his company was only following the contract it had with Miller Environmental Group, which did not require background checks.

"We are a staffing company. Our policy is at the client's request," Reichert said.

He said only drug screenings and physicals were done.

"We are not liable for anything that happens," he said. "Once we deliver the people to be supervised by our client, we don't have anything to do with them anymore."

He said, "I don't know what Miller [Environmental Group's] obligation to BP is. It's BP's project. We are providing them the people they asked for per the contract."

In a statement sent to CNN on Thursday afternoon, Aerotek said that about 23 days after the incident, Miller "informed Aerotek that it wanted criminal background checks conducted on current and future temporary employees assigned to the oil spill clean-up effort."

However, a tropical storm hit the area, and "all Aerotek temporary workers assigned to the clean-up efforts at this site were terminated."

"Aerotek's thoughts and support continue to go out to the alleged victim and her family," the statement said.



CNN contacted Miller Environmental Group but did not get an immediate response.

Leonard Nelson, who was Robertson's manager at Aerotek, said, "There were quite a few, quite a few drug dealers from what I saw, people from all walks of life. There was no way that there was any kind of comprehensive background checks done. There's no way. You had guys walking in who actually had collars on, you know, the bands for house arrests. ... I don't know about you, but that strikes me as people you don't want working here."

Several other police departments on the Gulf Coast contacted by CNN said they conducted background checks. Euris Dubois, chief of police in Grand Isle, Louisiana, said he contacted BP and contractors about background checks.

"My residents in Grand Isle were concerned about these people," Dubois said. "Everybody was kind of scared. So we started running background checks."

He said about one-fourth of the workers had a criminal history, but most of the crimes were misdemeanors. He said there were three registered sex offenders who were closely supervised by his officers.

In LaFourche Parish, Louisiana, the sheriff's office screened about 1,500 workers and found 20 sex offenders and others with active arrest warrants, Sgt. Lesley Hill said.

"Many workers who heard of the screenings did not show up for work," she said.